

224A.1118 Office of Broadband Development -- Purpose -- Duties and responsibilities.

- (1) There is established the Office of Broadband Development, which shall:
 - (a) Be administratively attached to the Kentucky Infrastructure Authority;
 - (b) Encourage, foster, develop, and improve broadband within the Commonwealth to:
 1. Drive job creation, promote innovation, and expand markets for Kentucky businesses; and
 2. Serve the ongoing and growing needs of Kentucky's:
 - a. Agricultural, educational, health care, and public safety systems;
 - b. Industries and businesses;
 - c. Governmental operations; and
 - d. Citizens;
 - (c) Improve broadband accessibility for unserved and underserved communities and populations;
 - (d) Develop, coordinate, administer, and implement the Commonwealth's broadband deployment fund under KRS 224A.112;
 - (e) Perform all administrative functions necessary to carry out the purposes of this section;
 - (f) On behalf of the Commonwealth, serve as:
 1. The central broadband planning and coordination entity;
 2. The single point of contact and liaison to federal agencies and programs regarding broadband issues, including but not limited to:
 - a. National Telecommunications and Information Administration;
 - b. Federal Communications Commission;
 - c. United States Department of Agriculture Rural Utilities Service; and
 - d. United States Treasury; and
 3. An information clearinghouse for federal programs providing financial assistance to institutions located in rural areas seeking to obtain access to broadband;
 - (g) Coordinate with other state, regional, local, and private entities to:
 1. Develop and implement a statewide broadband plan, including relevant goals and objectives;
 2. Develop and encourage cost-effective broadband;
 3. Make recommendations for broadband infrastructure development, particularly in rural, unserved, and underserved areas; and
 4. Provide consultation services to local units of government or other project sponsors in connection with the planning, acquisition, improvement, construction, or development of any broadband deployment project;

- (h) Monitor the broadband development efforts of other states and nations;
 - (i) Maintain data and statistics on broadband throughout the Commonwealth by:
 - 1. Collecting broadband availability data from Kentucky broadband providers and other sources on a street address or location-specific basis;
 - 2. Verifying the accuracy of that data through on-the-ground testing;
 - 3. Creating and maintaining a statewide interactive map displaying broadband availability, which shall be available for public and state government use online;
 - 4. Analyzing the deployment data collected to inform and guide future investments in broadband infrastructure, including moneys expended under the broadband deployment fund;
 - 5. Empirically validating, on a targeted basis, the accuracy of broadband data that is routinely collected by the Federal Communications Commission to pinpoint areas of overstatement and understatement that may exist;
 - 6. Challenging the validity of the data as may be warranted, on behalf of the Commonwealth, to ensure that this state is receiving its due share of funding from federal broadband programs; and
 - 7. Monitoring the progress of federal awards for deploying broadband infrastructure to Kentucky locations and issuing an annual report to the Governor and the Interim Joint Committee on Appropriations and Revenue by November 1 of each year;
 - (j) Develop a process for:
 - 1. Receiving complaints related to insufficient broadband service;
 - 2. Incorporating forms for the collection of data related to the complaints;
 - 3. Resolving complaints;
 - 4. Reporting the information collected on unresolved complaints; and
 - 5. Referring complaints to the Office of the Attorney General, Federal Communications Commission, or Federal Trade Commission, as appropriate; and
 - (k) Perform other duties and responsibilities as necessary to promote the development of broadband within the Commonwealth.
- (2) The office shall have all the power, not explicitly prohibited by statute, necessary and convenient to carry out and effectuate the purposes of this section, including:
- (a) Entering into contracts or agreements necessary or incidental to the performance of its duties, functions, and responsibilities;
 - (b) Soliciting, borrowing, accepting, receiving, and expending funds from any public or private source, property, labor, or other things of value to be used to carry out the office's operations, functions, and responsibilities; and

- (c) Promulgating administrative regulations under KRS Chapter 13A.
- (3) (a) The authority may contract with a private nonprofit corporation with at least five (5) years of broadband and telecommunications public policy research and mapping experience to fulfill the purposes, duties, and responsibilities of the office as required in subsections (1) and (2) of this section.
- (b) If the authority exercises its option to contract with an entity to fulfill the office's obligations under this section, the procurement shall not abrogate the authority from fulfilling the office's duties or achieving the timelines for issuing grants in KRS 224A.1121.
- (4) The authority shall report the activities of the office to the Legislative Research Commission on a semiannual basis, each January 1 and each July 1.

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